

**McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP**  
ATTORNEYS AT LAW

88 PINE STREET  
24<sup>TH</sup> FLOOR  
NEW YORK, NEW YORK 10005  
(212) 483-9490  
FACSIMILE (212) 483-9129

SCOTT A. LEVIN  
Direct dial: (973) 425-8838  
slevin@mdmc-law.com

April 30, 2012

**By Electronic Case Filing and Facsimile**

Hon. Sandra J. Feuerstein, U.S.D.J.  
United States District Court  
100 Federal Plaza  
Central Islip, New York 11722

**RE: Civil Action: *Trustees of the United Plant and Production  
Workers Local 175 Benefits Fund v. K.S. Contracting Corp., et al.*,  
Civil Action No.: 12-561 (SJF-ARL)  
MDMC No.: C0344-1196**

Dear Judge Feuerstein:

We represent Defendant, Colonial Surety Company ("Colonial"). On April 16, 2012, this Court ordered that the initial conference be adjourned to May 1, 2012, at 11:15 a.m. Over the weekend, we received notice from an adversary in another matter that he will be presenting an Order to Show Cause at the Appellate Division, Second Department, 45 Monroe Place, Brooklyn, New York, at 9:00 a.m. on May 1, 2012. Accordingly, we ask that the Court consider either allowing Colonial to appear telephonically for the 11:15 a.m. conference on May 1, 2012, or that the Court consider moving the conference to 3:00 p.m. to allow sufficient time for me to attend both proceedings in person. We thank the Court for its consideration of this request. We will make ourselves available at the Court's convenience if there are any questions or concerns.

Very truly yours,

McELROY, DEUTSCH, MULVANEY &  
CARPENTER, LLP

/s/ Scott A. Levin

Scott A. Levin

cc: Robert DeStefano, Esq. (by electronic case filing)  
K.S. Contracting Corp.  
Paresh Shah  
Belaben Patel